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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/228,101	01/11/1999	VOLKMAR SCHROTH		7309

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EXAMINER

HARPER, KEVIN C

ART UNIT PAPER NUMBER

2664

DATE MAILED: 06/05/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/228,101

Applicant(s)

SCHROTH

Examiner

Kevin C. Harper

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 January 1999.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 January 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Drawings

1. The drawings are objected to because the following require descriptive wording:

Figure 1, items 3, 4, 6, 16 and 19,

Figure 2, items 8-9 and 21-36;

Figure 3, items 17, 19-20, 24-27, 37 and 40-46;

Figure 4, items 104 108, 112 and 114;

Figure 5, items 104 and 112; and,

Figure 7, one each of items 104 and 112.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

2. Independent claim 1 recites that a reception multiplexer has a reception processing means which transforms a plesiochronous signal into a synchronous signal. However, the signals received at the reception multiplexer have already been adapted to a common processing clock in

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a previous step and are thus synchronized or synchronous (note: see also specification, page 6, lines 3-8 and page 1, lines 14-19).

3. Independent claim 4 recites that a transmission processing means transforms a synchronous signal into a plesiochronous signal. However, the signal transmitted from the transmission processing means remains synchronized (specification, page 7, lines 14-15).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Chen et al. (US 5,940,456).

4. Regarding claim 1, Chen discloses a circuit arrangement for an SDH transmission system for transmitting plesiochronous signals (Figure 4). The circuit comprises several input channels allocated to plesiochronous signals (note: E1 or E2 at input; col. 5, lines 63-65 and col. 6, lines 4-

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12), where the input channels are connected to a clock synchronizer (items 502-505) for adapting the received plesiochronous signals to a common processing clock (Figure 510). The circuit also comprises a reception multiplexer following the clock synchronizer. The reception synchronizer transforms a plesiochronous signal (input lines E1 or E2) into a synchronous signal and is connected at its output to an SDH channel (col. 6, lines 12-15).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Graves (US 4,667,324).

5. Regarding claim 1, Graves discloses circuit arrangement for a reception part of a digital transmission system (Figure 2) for transmitting plesiochronous signals (col. 9, lines 54-59). The system comprises several input channels (DS-1 SYNC, DS-1C ASNYC, DS-2 SYNC, etc.) allocated to the plesiochronous signals, where the input channels are connected a clock synchronizer (items 11-14 and 16) to adapt the plesiochronous signals to an inherent common processing clock (Figure 3; col. 1, lines 36-59; col. 9, lines 54-59 and col. 10, lines 1-6). The system also comprises a reception multiplexer (Figure 2, item 10) including a reception processing means following the clock synchronizer. However, Graves does not disclose an SDH output. Although, Graves notes that the predetermined output rate can vary depending on design

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preferences (col. 6, lines 58-66). Therefore, it would have been obvious to one skilled in the art to use the standardized SDH transmission rate and format in the invention of Graves as a matter of design choice.

6. Regarding claim 2, the clock synchronizer contains several buffers (Figure 2; Figure 3, items 43 and 55) for storing input channels with their respective signal clocks (col. 5, lines 28-39 and 60).

7. Regarding claim 3, a demultiplexer (Figure 2, item 24) follows the reception processing means (item 10).

8. Regarding claim 4, Graves discloses a circuit arrangement comprising a transmission multiplexer (Figure 2, item 10) and a transmission processing means for transforming a synchronous signal into a plesiochronous signal (item 24). The circuit also comprises a desynchronizer (items 22 and 25-28) following the transmission processing means for recovery of the plesiochronous signals and their clocks (col. 9, lines 40-46 and 59-65; col. 10, lines 60-66). However, Graves does not disclose an SDH input. Although, Graves notes that the predetermined input rate can vary depending on design preferences (col. 6, lines 58-66).

Therefore, it would have been obvious to one skilled in the art to use the standardized SDH transmission rate and format in the invention of Graves as a matter of design choice.

9. Regarding claim 5, the transmission processing means (item 24) is a demultiplexer.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Taniguchi (US 5,319,637) discloses a synchronous channel multiplexer.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Harper whose telephone number is 703-305-0139. The examiner can normally be reached weekdays, except Wednesday, from 8:00 AM to 6:30 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin, can be reached at 703-305-4366. The fax number for Technology Center (TC) 2600 is 703-872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Customer Service Office for TC 2600 at 703-306-0377.

Kevin C. Harper



May 24, 2002

KWANG BIN YAO
PRIMARY EXAMINER

